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10 Attorneys for Defendants ATI Technologies Inc.,  
11 ATI Technologies Systems Corp., ATI Research  
12 Silicon Valley Inc., and ATI Research, Inc.

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN JOSE DIVISION

16 In re ATI Tech. HDCP Litigation

Case No.: 5:06-CV-01303-JW HRL

17 STIPULATION AND *James Ware* [PROPOSED] ORDER  
18 RE CLASS CERTIFICATION HEARING  
19 AND BRIEFING SCHEDULE

20 Date: March 19, 2007  
21 Time: 9:00 a.m.  
22 Courtroom: 8  
23 Judge: Hon. James Ware

1 WHEREAS, at the initial Case Management Conference in this action on  
2 September 18, 2006, the Court set plaintiffs' motion for class certification to be heard on  
3 March 19, 2007, at 9:00 a.m.;

4 WHEREAS the Court indicated that this date could be continued to a different date,  
5 if so requested by the parties;

6 WHEREAS the parties have reached agreement to continue the hearing to April 23,  
7 2007, at 9:00 a.m., and have confirmed the Court's availability at that time; and

8 WHEREAS the parties have further conferred and agreed upon a corresponding  
9 discovery and briefing schedule as follows;

10 NOW THEREFORE, the parties, through their respective counsel, hereby stipulate  
11 and jointly request the Court order as follows:

12 1. The class certification hearing currently scheduled for March 19, 2007, at  
13 9:00 a.m. shall be continued to April 23, 2007, at 9:00 a.m.

14 2. Defendants shall have until March 29, 2007 to file their opposition to  
15 plaintiffs' motion for class certification.

16 3. Plaintiffs shall have until April 16, 2007 to file their reply in support of their  
17 motion for class certification.

18 4. In the event experts are to be used by either party, notice of initial  
19 designations of experts shall be given to the other side no earlier than March 12, 2007, and no later  
20 than March 15, 2007. The notice shall consist either of the affidavit of the expert, or an  
21 explanation of the opinions of the expert that are to be offered.

22 5. In the event that experts are so designated by either party, the other party  
23 shall provide notice of the designations of rebuttal experts no later than five business days after the  
24 earlier of (i) the date that party deposed the other side's expert, or (ii) the date on which the other  
25 side's expert's affidavit was provided to that party.

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6. Any expert designated by any party shall be made available for deposition within one week of his or her designation. In no event shall there be an expert designated by plaintiffs whom defendants are not given an opportunity to depose on or before March 28, 2007.

Dated: February 22, 2007

SHEARMAN & STERLING LLP  
Jeffrey S. Facter  
Jiyoun Chung

By:   
Jeffrey S. Facter

Attorneys for Defendants ATI Technologies Inc.,  
ATI Technologies Systems Corp., ATI Research  
Silicon Valley Inc., and ATI Research, Inc.

Dated: February 22, 2007

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Co-Lead Counsel for Plaintiffs

ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES, and good cause appearing therefore, the parties are ordered to abide by the following schedule:

1. The class certification hearing currently scheduled for March 19, 2007, at 9:00 a.m. shall be continued to April 23, 2007, at 9:00 a.m.

2. Defendants shall have until March 29, 2007 to file their opposition to plaintiffs' motion for class certification.

3. Plaintiffs shall have until April 16, 2007 to file their reply in support of their motion for class certification.


4. In the event experts are to be used by either party, notice of initial designations of experts shall be given to the other side no earlier than March 12, 2007, and no later than March 15, 2007. The notice shall consist either of the affidavit of the expert, or an explanation of the opinions of the expert that are to be offered.

5. In the event that experts are so designated by either party, the other party shall provide notice of the designations of rebuttal experts no later than five business days after the earlier of (i) the date that party deposed the other side's expert, or (ii) the date on which the other side's expert's affidavit was provided to that party.

6. Any expert designated by any party shall be made available for deposition within one week of his or her designation. In no event shall there be an expert designated by plaintiffs whom defendants are not given an opportunity to depose on or before March 28, 2007.

IT IS SO ORDERED.

Dated: February 23, 2007

  
The Honorable James Ware  
United States District Court Judge